



David B. Cohen
Mayor

CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue
Newton, MA 02459-1449
Telephone: (617) 796-1060
Fax: (617) 796-1086
www.ci.newton.ma.us

ZONING BOARD OF APPEALS

Sherri Boivin, Board Secretary

NOTICE OF DECISIONS

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #20-05** from Albert W. Devine, 11 Fayette Place, Newton, appealing the decision of the Commissioner of Inspectional Services that operation of a landscaping business at the property is not an allowed use in a Multi Residence 2 District. **The petitioners' appeal of the decision of the Commissioner of Inspectional Services was denied, 4-1.**
- #21-05** from Elliott Loew, 32 Stanley Avenue, Newton, appealing the decision of the Commissioner of Inspectional Services that water runoff is being directed onto abutting properties. The property is located in a Single Residence 2 District. **The petitioners' appeal of the decision of the Commissioner of Inspectional Services was denied, 5-0.**
- #22-05** from Tom and Nancy Ferry, 184 Kirkstall Road, Newton, requesting a 4.5 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct a garage, resulting in a side yard setback of 3.0 feet. **(Required side yard setback for old lots created prior to December 7, 1953 is 7.5 feet.)** The property is located in a Single Residence 2 District. **The petitioners' request for a variance from the side yard setback requirements was denied, 4-1.**
- #23-05** from Jane G. Huston, 94 Prospect Street, Newton, requesting a 7.1 foot variance from the rear yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One for an existing garage which will become attached to the existing house upon construction of a new addition, resulting in a rear yard setback of 7.9 feet. **(Required rear yard setback for old lots created prior to December 7, 1953 is 15 feet.)** The property is located in a Single Residence 2 District. **The petitioners' request for a variance from the rear yard setback requirements was granted, subject to conditions, 5-0.**
- #24-05** from Edward and Wendie Levitan, 161 Pond Brook Road, Newton, requesting a 1.2 foot variance from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct a two-story addition at property located at 18 Spiers Road, Newton, resulting in a front yard setback from Spiers Road of 23.8 feet. The petitioner also requests a 0.9 foot variance from the front yard setback requirements, resulting in a front yard setback from J Roadway of 24.1 feet. **(Required front yard setback for old lots created prior to December 7, 1953 is 25**

feet.) The property is located in a Single Residence 2 District. The petitioners' request for a variance was denied without prejudice, 5-0.

Any appeal of the above decisions must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 20-05, 21-05, 22-05, 23-05 and 24-05 were filed on January 25, 2006.